

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JAMES MARTIN,
Plaintiff,

v.

SHERIFF LANE PERRY,
Defendant(s).

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Civil Action No. 7:15-cv-00600

OPINION

By: James P. Jones
United States District Judge

James Martin, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered November 5, 2015, the court directed plaintiff to submit within 10 days from the date of the Order an inmate account form, and a certified copy of plaintiff's trust fund account statement for the six-month period immediately preceding the filing of the complaint, obtained from the appropriate prison official of each prison at which plaintiff is or which plaintiff is or was confined during that six-month period as well as an executed verified statement. On November 23, 2015 plaintiff sent in a blank inmate account form that was not completed or signed by the trust account officer. The incomplete form only included one month of the required six-months required and no executed verified statement was returned by plaintiff. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 14th day of November, 201.

s/James P. Jones
United States District Judge